

June 8, 2009

**Public Notice for Water Quality Certification and/or Waste  
Discharge Requirements (Dredge/Fill Projects)**

Nielsen Ranch Slide Repair/Bicentennial Estates II  
WDID No. 1B09023WNSO

Sonoma County

On February 13, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Jane Valerius, of Jane Valerius Environmental Consulting, on behalf of Mr. Jack Chamberlain – Chamberlain Lake Park LLC (Applicant), requesting Federal Clean Water Act, section 401, Water Quality Certification (certification) for activities associated with construction of a new 14-lot housing subdivision and repair of a slide south of Russell Creek, located at 3450 Lake Park Drive, in the City of Santa Rosa, latitude 38.473647°N, 122.719738 °W, Sonoma County. The proposed project will cause permanent impacts to approximately 0.03 acres, 195 linear feet, of waters of the State associated with Russell Creek in the Santa Rosa Hydrologic Subarea No. 114.22, Russian River Hydrologic Area 114.00.

The proposed project is Bicentennial Estates, a 14-lot residential subdivision, totaling 8.03 acres. Applicant proposes to construct 14 single family units with a common open space parcel with a hillside development permit. The Project has been designed to avoid grading on the more significant slopes located adjacent to Russell Creek, with the exception of the slide repair work. The area along Russell Creek will remain undeveloped as a 3.63 acre open space parcel to be owned and maintained by a homeowner's association for the Project. Landslides were found adjacent to Russell Creek, and the Mitigated Negative Declaration (MND) for the project identified that the slide will be repaired as part of the overall Nielsen Ranch project or the Bicentennial Estates II project. A combination creek trail and maintenance road already exists along the creek and will be repaired as needed with the development of the project.

The slide repair project includes grading of the slope south of Russell Creek. Grading will be conducted in compliance with the technical documents prepared for the Project. Work will be done within Russell Creek (in the dry season) from the existing culvert and wing wall at the western end of the project site adjacent to Bicentennial Way approximately 195 feet east or upstream. The south bank of Russell Creek will have riprap keyed into the toe of slope. Riprap will be placed along the south bank to prevent undermining of the slide repair by high velocity flows within the creek. Riprap will be placed from the edge of bank to 3 feet high along the creek bank. With the exception of the culvert and wing wall area, no riprap will be placed within the bed of the existing creek.

Compensatory mitigation consists of habitat restoration. The placement of fill is for bank stabilization and only on the south bank. The creek will remain essentially in its natural state. The creek banks will be planted with native trees and shrubs. The site will be seeded with native grasses and forbs and the habitat restoration plan includes removal of non-native weedy plants along with the planting of native trees and shrubs. A detailed planting plan is included in the application. The trees and shrubs will be

irrigated and the site will be maintained and monitored for a minimum of 5 years, with a 85% survival rate of thriving vegetation. Yearly monitoring reports shall be submitted to the Regional Water Board.

Post-construction stormwater treatment features will be incorporated to treat the increase in stormwater runoff as well as pollutants created by the increase in impervious surface and other activities associated with development and future use of the site. Landscape-based treatments such as vegetated swales, bio-retention units, and vegetated buffer strips, will treat stormwater before it is discharged to Russell Creek. The maintenance of the Post-construction stormwater treatment features will be done by the City of Santa Rosa and the Homeowners Association. Details on the plan are contained in the *Preliminary Storm Water Mitigation Plan, Bicentennial Estates*, dated November 2008, by Carlenzoli and Associates.

The City of Santa Rosa, as lead California Environmental Quality Act (CEQA) agency, adopted a Mitigated Negative Declaration on October 13, 2005, pursuant to California Environmental Quality Act (CEQA) guidelines.

The California Department of Fish and Game determined that a Lake or Streambed Alteration Agreement is not necessary for the project.

Applicant has applied to US Army Corps of Engineers (File No. 2008-00449), for a Clean Water Act Section 404 permit.

Regional Water Board staff are proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter-Cologne Water Quality Control Act authority. In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact staff member Stephen Bargsten at (707) 576-2653 within 21 days of the posting of this notice.